

**CITY COMMISSION REGULAR MEETING AGENDA
APRIL 23, 2002 - 6:00 P.M.**

Roll Call

Invocation: Dr. Diane Mann, Senior Pastor, 4th Avenue Church of God

Pledge of Allegiance

Approval of Minutes and Agenda: April 2, 2002

PRESENTATIONS

1. The Mayor and City Commissioners will present an Expression of Sympathy to the family of ***Jon M. Henning.***
2. The Mayor and City Commissioners will present the ***Citizens Crime Alert "Annual Paul Urschaltz Award."***
3. The Mayor and City Commissioners will present the Proclamation for the ***"Avon Breast Cancer Walk"*** held April 19-21, 2002 in the Cities of Boca Raton, Fort Lauderdale and Miami.
4. The Mayor and City Commissioners will present the ***Community Appearance Board's "WOW Award"*** for District I.
5. The Mayor and City Commissioners will present a Proclamation for ***"Justice for Children and Families, Inc., Day"*** to be observed April 27, 2002.
6. The Mayor and City Commissioners will present a Commendation to ***Eve Bazer*** for being awarded the ***2002 Minority Small Business Advocate of the Year.***
7. The Mayor and City Commissioners will present the Proclamation for ***"Drinking Water Week"*** to be observed May 5-11, 2002, and will recognize the winners of the ***"2002 Drop Savers Poster Contest."***

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Las Olas Annual Flower and Plant Show

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Las Olas Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Las Olas Annual Flower and Plant Show** to be held **Sunday, May 19, 2002 from 11:00 a.m. to 6:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 02-574 from City Manager.

CONSENT AGENDA

Event Agreement – Hospice Regatta 2002 Clambake

(M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **HospiceCare of Southeast Florida, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Hospice Regatta 2002 Clambake** to be held **Saturday, May 18, 2002 from 5:00 p.m. to 11:00 p.m.** at Esplanade; and further authorizing the closing of S.W. 4 Avenue from just south of the parking lot behind the old post office on S.W. 2 Street to the cul-de-sac at Riverwalk from 12:00 noon to 12:00 midnight on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-573 from City Manager.

Agreement – Gold Coast Ski Club – Water-Skiing Activities at Mills Pond Park

(M-3)

A motion authorizing the proper City officials to execute a two-year agreement with the Gold Coast Ski Club, Inc. to conduct water-skiing activities at Mills Pond Park.

Recommend: Motion to approve.

Exhibit: Memo No. 02-365 from City Manager.

**Transfer from General Fund Contingencies –
Joint City and Florida Atlantic University (FAU) Design Urban Seminar**

(M-4)

A motion approving the transfer of General Fund Contingencies in the amount of \$1,069.52 to City Commission account COM010101/3199 (Other Professional Services) for the Urban Design Seminar to be jointly hosted by the City and FAU.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-618 from City Clerk.

**Disbursement of Funds –
Joint Investigation – O. R. No. 99-171- \$12,455.12 U. S. Currency**

(M-5)

A motion authorizing the equitable disbursement of funds in the amount of \$732.65 to each of the 17 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-3-8 from City Attorney.

**Disbursement of Funds –
Joint Investigation – O. R. No. 01-53157 - \$16,595.94 U. S. Currency**

(M-6)

A motion authorizing the equitable disbursement of funds in the amount of \$1,037.24 to each of the 16 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-4-2 from City Attorney.

CONSENT AGENDA

**Assignment of Agreement – Third Party Administrator (TPA) -
USA Services Group Inc. to Benefits Management Company (BMC) –
RFP No. 502-8206 – Contract to Provide Various Group Health Benefits**

(M-7)

A motion authorizing the proper City officials to execute an assignment to the agreement with USA Services Group Inc. to BMC as a TPA for administering the City's self-funded employee health benefits plan.

Recommend: Motion to approve.

Exhibit: Memo No. 02-620 from City Manager.

**Accreditation and Recognition Agreement –
Commission on Accreditation for Law Enforcement Agencies, Inc.**

(M-8)

A motion authorizing the proper City officials to execute an Accreditation and Recognition Agreement with the Commission on Accreditation for Law Enforcement Agencies, Inc. for accreditation of the Police Department.

Recommend: Motion to approve.

Exhibit: Memo No. 02-510 from City Manager.

**Contract Award – R. L. Saum Construction Company –
Project 15200E – Holiday Park Phase II Roller Hockey Facilities**

(M-9)

A motion authorizing the proper City officials to execute an agreement with R. L. Saum Construction Company for the construction of the Holiday Park Phase II roller hockey facilities in the amount of \$1,269,000.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-501 from City Manager.

**Task Order No. 5 – Camp Dresser & McKee (CDM) – Project 10488 –
Various Pump Station Rehabilitation/Replacement Preliminary Design Report**

(M-10)

A motion authorizing the proper City officials to execute Task Order No. 5 with CDM in the amount of \$62,216 for the preparation of a preliminary design report for the rehabilitation/replacement of Pump Stations A11, B8, D39, D47 and E5.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-500 from City Manager.

PURCHASING AGENDA

Sale 329-8696 – Confiscated/Surplus Auction

(Pur-1)

Authorization for prior approval of sale for any item that exceeds \$25,000 at the confiscated/surplus vehicle and equipment auction is being presented for approval by various departments.

Bids Solicited/Rec'd:	N/A
Exhibits:	Exhibit A, list of confiscated and surplus vehicles

The Procurement and Materials Management Division has reviewed this item and agrees with the recommendation to approve the public auction sale to be held on May 15, 2002.

RFP 322-8664 – HOME CHDO Set-Aside Grant Funding

(Pur-2)

An agreement for the award of HOME CHDO set-aside grant funding is being presented for approval by the Community and Economic Development.

Recommended Award:	Dania Economic Development Corp., Inc. Dania, FL
Amount:	\$ 151,500.00
Bids Solicited/Rec'd:	28/4
Exhibits:	Memorandum No. 02-553 from City Manager

The Procurement and Materials Management Division has reviewed this item and agrees with the recommendation to approve funding.

Bid 722-8646 – Rental of Sound Equipment, Staging and Lighting

(Pur-3)

Two year contract for the rental of sound systems, staging and lighting is being presented for approval by the Parks & Recreation Department.

Recommended Award:	Freelance Productions, Inc. Jupiter, FL
Amount:	\$ 33,095.00 (estimated annual)
Bids Solicited/Rec'd:	32/5
Exhibits:	Memorandum No. 02-520 from City Manager

The Procurement and Materials Management Division recommends award to first ranked proposer.

PURCHASING AGENDA

Proprietary – Beverages for Cajun Festival

(Pur-4)

An agreement to purchase specialty beverages for Cajun Festival is being presented for approval by the Parks and Recreation Department.

Recommended Award:	Gold Coast Beverage Distributors Pompano Beach, FL
Amount:	\$ 14,800.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-547 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

772-7710 – Amendment to Grants Management Services Contract

(Pur-5)

An amendment to the grants management services contract is being presented for approval by the Public Services, Engineering Division.

Recommended Award:	Stan A. Hemphill Plantation, FL
Amount:	\$ 135,000.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-441 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve amendment to the contract.

622-8671 –

Cancel Previous Award and Award Contract for Elevator Maintenance

(Pur-6)

A two-year contract for elevator maintenance services with cancellation of previous award is being presented for approval by the Public Services Department.

Recommended Award:	Florida Coast Elevator, Inc. (WBE) Fort Lauderdale, FL
Amount:	\$ 32,128.00 (annual total)
Bids Solicited/Rec'd:	8/2 with 1 no bid
Exhibits:	Memorandum No. 02-526 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to cancel the previous contract and issue new award to the low responsive and responsible bidder.

PURCHASING AGENDA

Bid 522-8629 –

Contract/Title Services, Residential Rehabilitation Program

(Pur-7)

Two-year contract for title services, for the residential rehab program is being presented for approval by the Community and Economic Development Department.

Recommended Award:	Principle Title Insurance Agency, Inc. Fort Lauderdale, FL
Amount:	\$ 43,200.00 (estimated annual)
Bids Solicited/Rec'd:	15/3 with 1 no bids
Exhibits:	Memorandum No. 02-552 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder.

Florida Sheriffs – One Pickup and One Compact Sedan

(Pur-8)

An agreement to purchase one pickup truck and one compact sedan is being presented for approval by the Administrative Services, Fleet Services Division.

Recommended Award:	Duval Ford Jacksonville, FL Garber Chevrolet Green Cove Springs, FL
Amount:	\$ 37,025.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-579 from City Manager

The Procurement and Materials Management Division recommends award from the Florida Sheriffs Association contract.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Settlement of
Workers Compensation File No. WC 89-5351 (Michael Chalfonte) **(M-11)**

A motion authorizing the settlement of Workers Compensation File No. WC 89-5351 (Michael Chalfonte) in the amount of \$44,500.

Recommend: Introduce motion.
Exhibit: Memo No. 02-542 from City Manager; and
Memo No. 02-474 from City Manager.

Settlement of
Police Professional Liability File No. PPL 96-1017 (Byron Keith Owens) **(M-12)**

A motion authorizing the settlement of Police Professional Liability File No. PPL 96-1017 (Byron Keith Owens) in the amount of \$87,500.

Recommend: Introduce motion.
Exhibit: Memo No. 02-558 from City Manager.

PUBLIC HEARINGS

Historic Designation – Lauderdale Beach Hotel (HPB Case No. 27-H-01)

(PH-1)

At the January 14, 2002 special meeting, the Historic Preservation Board approved the following application by a vote of 10-0. (Also see Item PH-2 on this Agenda)

Applicant: Steven Marc Glassman
Request: Historic designation of building
Location: 101 South Fort Lauderdale Beach Boulevard

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-538 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

**Site Plan Approval/PRD/Lauderdale Beach Hotel LLC -
Lauderdale Beach Condominium (PZ Case No. 51-R-01)**

(PH-2)

At the October 17, 2001 regular meeting, the Planning and Zoning Board approved the following application by a vote of 5-3. (Also see Item PH-1 on this Agenda)

Applicant: Lauderdale Beach Hotel LLC
Request: Site plan approval/PRD
Location: Lauderdale Beach Condominium, 101 South Fort Lauderdale Beach Boulevard

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-565 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

PUBLIC HEARINGS

**Site Plan Level III/Waterway Use/Yard Modification/RMM-25 –
The Palms on Las Olas, Inc. – 309 Bontona Avenue (PZ Case No. 1-R-02)**

(PH-3)

At the April 2, 2002 meeting, the City Commission approved by a vote of 5-0 to schedule a public hearing to consider the following application:

Applicant: The Palms on Las Olas, Inc.
Request: Site Plan Level III/Waterway Use/Yard Modification/RMM-25
Location: 309 Bontona Avenue

Recommend: Open hearing; close hearing; introduce resolution.

Exhibit: Memo No. 02-548 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

ORDINANCES

**Amend Ordinance No. C-01-48 and Section 24-47(7) –
Royal Palm Frond Removal Service - Las Olas Isles Neighborhoods**

(O-1)

An ordinance amending Ordinance No. C-01-48 and Section 24-47(7) of the Code of Ordinances entitled, "Royal Palm Frond Removal Service," to reduce the service charge for Royal Palm frond removal service to the Las Olas Isles neighborhoods; and further extending the applicability of such ordinance. Ordinance No. C-02-7 was published March 23, 2002, and was approved on first reading April 2, 2002 by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-497 from City Manager; and
 Memo No. 02-224 from City Manager.

**Amend Chapter 26 – "Two Wheels On,
Two Wheels Off" Parking in Swales – Lauderdale Manors Neighborhood**

(O-2)

An ordinance amending Chapter 26 of the Code of Ordinances to provide for "two wheels on, two wheels off" parking in swales in the Lauderdale Manors Neighborhood. Ordinance No. C-02-8 was published April 13, 2002, and was approved on first reading April 2, 2002 by a vote of 5-0.

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 02-595 from City Manager; and
 Memo No. 02-492 from City Manager.

Amend Chapter 12 – Elections – Campaign Financing

(O-3)

An ordinance amending Chapter 12, "Elections," of the Code of Ordinances, amending Section 12-1 to provide for campaign financing provisions supplementing state law; creating Section 12-3, "Definitions," creating Section 12-4, "Campaign Contribution Limits and Prohibited Contributions," to provide for campaign contribution limitations and specifying entities and organizations prohibited from making contributions to candidates in elections for Mayor-Commissioner and City Commissioner; and creating Section 12-5, "Penalties." Notice of proposed ordinance was published April 13, 2002.

Recommend: Introduce ordinance on first reading.
Exhibit: Memo No. 02-855 from City Attorney.

RESOLUTIONS

Vacate Utility Easement – Sovereign Development Group (Case No. 13-M-01a)

(R-1)

A resolution authorizing the vacation of a utility easement being that portion of Progresso Drive lying between N.E. 12 Street and N.E. 7 Avenue, and also lying easterly of Block 148, Progresso, Plat Book 2, Page 18(D). (Also see Item R-2 on this Agenda)

Applicant: Sovereign Development Group
Request: Vacate utility easement
Location: 1130-1140 N.E. 7 Avenue

Recommend: Introduce resolution.

Exhibit: Memo No. 02-541 from City Manager.

Vacate Utility Easement – Sovereign Development Group (Case No. 13-M-01b)

(R-2)

A resolution authorizing the vacation of a utility easement being a portion of the vacated north/south alley in Block 148, Progresso, Plat Book 2, Page 18(D). (Also see Item R-1 on this Agenda)

Applicant: Sovereign Development Group
Request: Vacate utility easement
Location: 1130-1140 N.E. 7 Avenue

Recommend: Introduce resolution.

Exhibit: Memo No. 02-570 from City Manager.

Vacate Utility Easement – Third Avenue Associates (Case No. 4-M-02)

(R-3)

A resolution authorizing the vacation of a 15-foot by 25-foot utility easement being a portion of Tract "B," First Federal of Broward, Plat Book 94, Page 20. (Also see Item R-4 on this Agenda)

Applicant: Third Avenue Associates Ltd.
Request: Vacate utility easement
Location: 350 S.E. 2 Street

Recommend: Introduce resolution.

Exhibit: Memo No. 02-539 from City Manager.

RESOLUTIONS

Vacate Utility Easement – Third Avenue Associates (Case No. 5-M-02)

(R-4)

A resolution authorizing the vacation of a 30-foot by 170-foot utility easement being a portion of Tract “B,” First Federal of Broward, Plat Book 94, Page 20. (Also see Item R-3 on this Agenda)

Applicant: Third Avenue Associates Ltd.
Request: Vacate utility easement
Location: 350 S.E. 2 Street

Recommend: Introduce resolution.

Exhibit: Memo No. 02-540 from City Manager.

Transfer from General Fund Contingencies and Agreement – Broward County - Participation in the Rain Shut-Off Device Pilot Program

(R-5)

A resolution authorizing the proper City officials to execute an agreement with Broward County for the City to participate in the Rain Shut-Off Device Pilot Program; and further authorizing the transfer of \$5,041.22 from General Fund Contingencies to Construction Services Bureau account PBS020201/B215. (Requested by Mayor Naugle) (Also see Item I-G on the Conference Agenda)

Funds: See Memo

Recommend: Introduce resolution.

Exhibit: Memo No. 02-605 from City Manager.

Local Agency Program (LAP) Application and Agreement – Florida Department of Transportation (FDOT) – Project 10435 – Dorsey Riverbend Neighborhood Improvements

(R-6)

A resolution authorizing the proper City officials to submit an LAP application with FDOT for funding the design, construction, and construction management for the Dorsey Riverbend neighborhood improvements; and further authorizing the proper City officials to execute an LAP agreement with FDOT for reimbursement of appropriate costs.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-499 from City Manager.

Maintenance Memorandum of Agreement (MOA) – Florida Department of Transportation (FDOT) – Landscaping Improvements to State Road 5 (U.S. 1) and State Road A-1-A/ S.E. 17 Street Causeway - Project 10420 – Parade of Planes Event

(R-7)

A resolution authorizing the proper City officials to execute a maintenance MOA with FDOT for landscaping/irrigation improvements in an amount not to exceed \$25,000 for State Road 5 (U.S. 1) from the south side of the Henry E. Kinney Tunnel south to State Road 84, and State Road A-1-A/S.E. 17 Street Causeway from U.S. 1 east to Eisenhower Boulevard.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-575 from City Manager.

RESOLUTIONS

**Designation of Section 49 of
Lauderdale Memorial Park Cemetery for Burial of Individuals of the Jewish Faith (R-8)**

A resolution designating Section 49 of the Lauderdale Memorial Park Cemetery for burial of persons of the Jewish faith.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-581 from City Manager.

**Designation of Blocks 1A, 2, 2A, 3
(Exclusive of Lot 16) and Block 3A (Exclusive of Lot 12),
of Evergreen Cemetery, for Burial of Individuals of the Jewish Faith (R-9)**

A resolution designating Blocks 1A, 2, 2A, and 3 (exclusive of Lot 16) and Block 3A (exclusive of Lot 12), of Evergreen Cemetery, for burial of persons of the Jewish faith.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-580 from City Manager.

**Intent to Convey Property to the Fort Lauderdale
Community Redevelopment Agency (CRA) – Redevelopment
of Konover Project (Located on Broward Boulevard, just west of I-95) (R-10)**

A resolution determining and declaring the City's intent to convey certain public property known as the Konover Project, located on Broward Boulevard, just west of I-95, to the Fort Lauderdale CRA; and further designating a public hearing scheduled for June 4, 2002 to consider such proposal.

Recommend: Introduce resolution.

Exhibit: Memo No. 02-536 from City Manager.
